

Serial No. 10/670,806
Atty. Doc. No. 2001P04429WOUS

REMARKS

Applicant has amended claims 1, 4-6, 8, and 17 and added new claims 18-20. Thus, claims 1-20 are presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Examiner's comment regarding priority:

Examiner has acknowledged Applicant's claim to foreign priority under British patent application No. GB 0112147.4, filed May 18, 2001. Applicant has requested a certified copy of the priority document and will provide to Examiner when received.

Response to objections to the claims:

Claims 1 and 6 stand objected to due to the informalities. Claims 1 and 6 have been amended as suggested by Examiner. Thus, Applicant respectfully requests the Examiner to withdraw the objection to the claims.

Response to rejections under Section 102

Rejection as anticipated being anticipated by Becker (US 6,152,724):

Claims 1-3, 7, and 9-17 stand rejected under 35 U.S.C. § 102, the Examiner contending that these claims are anticipated by Becker (US 6,152,724).

Becker teaches an air flow delayer 13 arranged in a circular-symmetric configuration on the air duct. This configuration causes a circular-symmetrical recirculation zone 10 to be formed below the pilot and symmetric with the pilot at the burner outlet (see e.g. column 3 lines 10-15 and lines 25-30, and Fig. 1).

In contrast, Applicant's claimed invention recites blocking members 2 configured to cause a recirculation zone 21 to develop toward an outer periphery of the outlet (see e.g. Applicant's specification page 8 lines 16-18 and Fig. 1). The location of Applicant's recirculation zone is not one of mere design choice, rather, it allows the combustion stabilizing recirculation zone to be closer to the combustion chamber wall 22 (see e.g. Applicant's specification page 8 lines 12-15).

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Rejection as anticipated being anticipated by Poeschl (US 6,189,320):

Claims 1-3, 7, and 9-13, 15, and 17 stand rejected under 35 U.S.C. § 102, the Examiner contending that these claims are anticipated by Poeschl (US 6,189,320).

Poeschl, like Becker, teaches a vortex element 4 arranged in a circular-symmetric configuration on the air duct (see Fig. 2). Assuming, arguendo, that this configuration causes a recirculation zone to exist, it would be located below the pilot and symmetric with the pilot at the burner outlet because of the circular-symmetric construction and orientation of the vortex element. In contrast, as previously noted, Applicant's claimed invention recites blocking members that cause a recirculation zone to develop toward an outer periphery of the outlet.

In view of the above, independent claims 1 and 17 are patentable. Dependent claims 2-7 and 9-16 are also patentable at least based on their dependency from claim 1 as well as based on their own merit. Therefore, Applicant respectfully requests that the Examiner withdraw the Section 102 rejection.

Response to rejections under Section 103:

Claims 14 and 16 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are unpatentable over Becker (US 6,152,724); claims 1-3, 7, 9-17 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are anticipated by Becker (US 6,152,724) in view of Becker (US 5,451,160); and claims 4-6 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are unpatentable over Becker (US 6,152,724) in view either Zappa (US 4,762,487) or Gutmark et al. (US 6,196,835). of what is obvious to one skilled in the art.

In view of the remarks in connection with the Section 102 rejection regarding the circular symmetric recirculation zone, Applicant respectfully submits that Becker, alone or in combination, does not teach or suggest the claimed invention. Reconsideration and withdrawal of the Section 103 rejection is respectfully requested.

Discussion of amended claim8:

Examiner indicated that claim 8 contained allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten claim 8 in such a manner and therefore respectfully requests allowance of claim 8.

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Discussion of new claims 18-20:

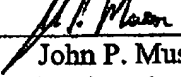
New dependent claims 18-20 further define the scope of the invention, as described in the specification and drawings. New claim 18 recites that the recirculation zone develops at the outer periphery of the outlet. New claim 19 recites blocking member is situated for stabilizing a burner premixing flame by locally blocking the flow of the air entering said premixing chamber so that downstream of said outlet a locally inhomogeneous fuel concentration results which generates a locally hot stream of combustion gas that is hotter than the average flame temperature. New claim 20 recites the blocking members are arranged asymmetrically on the periphery of the air inlet. In view of the foregoing remarks regarding the other claims, Applicant respectfully submits that claims 18-20 are patentable on their own merits as well as their dependency on claim 1. Applicant thus respectfully requests allowance of claims 18-20.

Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicant respectfully requests that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d) for total independent claims in excess of 3, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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